

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Eighth Judicial District Court, County of Cascade

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-17-542
	)	
	)	DECISION
DARIONN TYLER DOUGLAS,	)	
	)	
Defendant.	)	

On December 14, 2018, the District Court sentenced the Defendant to the Montana State Prison for twenty (20) years, for the offense of Count I: Negligent Homicide, a Felony, in violation of §45-5-104, MCA. The Court further ordered the Defendant to pay restitution of \$3,500 to the Crime Victims Compensation Fund. The Court granted the Defendant credit for time served in the amount of 465 days. The Court recommended to the parole board, but did not impose, conditions of probation 1 through 31 set forth in the Pre-Sentence Investigation Report.

On May 2, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Crossroads Correctional Center and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented. Present at the hearing was Michelle Weber-Ratliff, family friend of the Defendant, who gave a statement. Also present was Mathew Robichaud, husband of Ms. Weber-Ratliff.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 2<sup>nd</sup> day of May, 2019.

DATED this 30<sup>th</sup> day of May, 2019.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



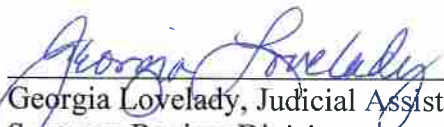
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 4<sup>th</sup> day  
of June, 2019, to:

Clerk of District Court (Original)  
Darionn Tyler Douglas #3025346, Defendant (2)  
Hon. Gregory Pinski  
Brent Getty, Defense Counsel  
Joshua Racki, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division